



DOWNTOWN WESTFIELD SCATTERED SITE REDEVELOPMENT PLAN

TOWN OF WESTFIELD UNION COUNTY, NEW JERSEY

OCTOBER 5, 2020

Prepared for:

The Mayor & Council of the Town of Westfield

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The original of this report was signed and sealed in accordance with N.J.S.A. 45:14A-12



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I. PLAN GOAL

The goal of this Redevelopment Plan is to subject the properties governed by this plan to the provisions of the Local Redevelopment and Housing Law (LRHL) and to permit the Mayor and Council to engage in discussion and contract with the owners of the properties and/or prospective redevelopers of the properties in a manner which encourages and promotes the long-term economic well-being and overall health, safety, and welfare of the Town.

II. INTRODUCTION

Properties included within this redevelopment plan are located throughout downtown Westfield. Downtown Westfield represents the economic heart of the community and is also geographically located at the center of the Town. The downtown area contains a mix of commercial enterprises including retail sales and services, restaurants, and a hotel. The Westfield Train Station, the station stop with the highest ridership along NJ Transit's Raritan Valley Line, is a focal point downtown; and, stops for local and regional bus service exist.

The Town Planning Board completed and adopted a Master Plan Reexamination Report by resolution dated January 6, 2020. The Reexamination was the product of a significant public participation process including online engagement, surveys, input of a steering committee, stakeholder visioning workshops, and public workshops. According to the results of the reexamination survey, 67% of the respondents view new office, retail, or mixed-use in the downtown very favorably. In addition, 75% of the respondents say that the Town should encourage or strongly encourage redevelopment and attraction of major employers (particularly in high tech industries), while restoring Westfield's older homes. The Reexamination Report emphasizes the importance of downtown areas to a community and includes a series of recommendations in regard to economic development and land use which the community should follow. The following recommendations for the downtown are found in the Reexamination Report:

- Appropriate mixed-use development on underutilized properties, such as municipal parking lots.
- Encourage the enhancement of existing as well as creation of new commercial space
- A parking plan that takes into consideration integrated community structured parking integrated into future development.
- The creation of high tech and medical/wellness office space to support the downtown viability and introduce a new tax ratable that is not single-family development.
- Creating connectivity between the North and South-side of our commercial downtown.
- The creation of public spaces for residents and visitors.
- The embracement of arts and culture as a draw to our community.
- The creation and implementation of a streetscape improvement plan.
- Architectural design guidelines and standards for future development.

The Town can use the provisions contained within the LRHL, including contracting or entering into redeveloper agreements with owners or prospective developers for specific redevelopment projects, to make these recommendations a reality.

As a first step in the redevelopment process, the Mayor and Council directed the Planning Board to undertake preliminary investigations of various properties throughout downtown Westfield to determine if those properties qualify as areas in need of redevelopment. After the preparation of the required preliminary investigation reports and duly noticed public hearings, the Planning Board found that all of the properties studied did in fact qualify. The Mayor and Council have since designated the properties as areas in need of redevelopment. It is those properties which are governed by this redevelopment plan. Those properties are as follows:

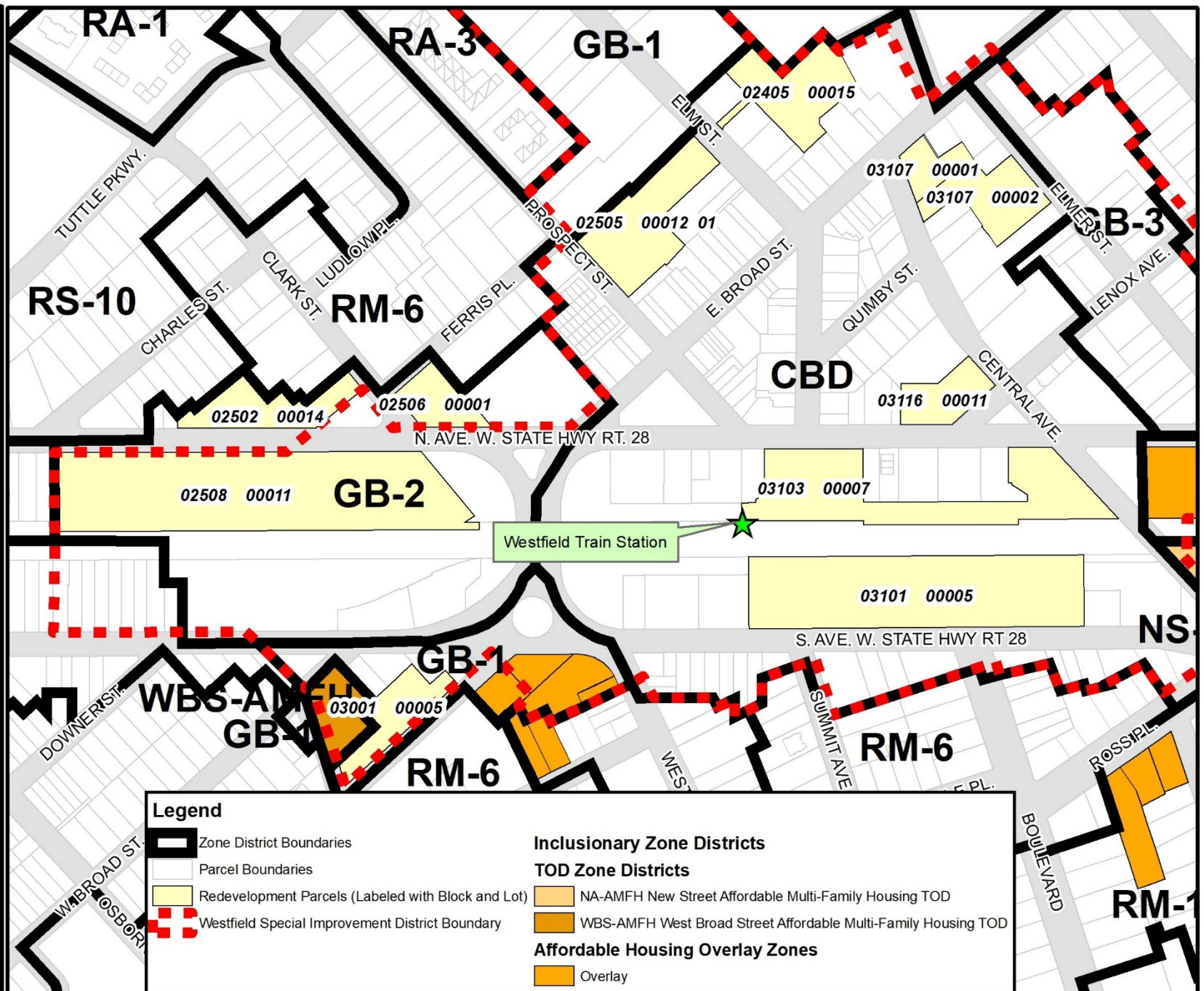
Block	Lot	Address	Description
2405	15	146 Elm Street	Town-Owned Surface Parking Lot
2505	12.01	131 Elm Street	Town-Owned Surface Parking Lot
3001	5	360 Waterson Street	Town-Owned Surface Parking Lot
3101	5	300 South Avenue West	Town-Owned Surface Parking Lot
3103	7	301 North Avenue West	Town-Owned Surface Parking Lot
3107	2	116 Elmer Street	Town-Owned Surface Parking Lot
3116	11	148 Central Avenue	Town-Owned Surface Parking Lot
2502	14	630 North Avenue West	Privately-Owned Surface Parking Lot
2506	1	526 North Avenue West	Privately-Owned Surface Parking Lot
2508	11	601-613 North Avenue West	Lord & Taylor Department Store Site
3107	1	244-254 East Broad Street	Rialto Theater Site

Because these properties have been declared areas in need of redevelopment, they are eligible for inclusion within this Redevelopment Plan. Their inclusion within this Redevelopment Plan enables the Town to designate redeveloper(s) for the properties for projects that advance the Town Master Plan's goals and objectives, and those recommendations for the downtown found in the Reexamination Report.

A map identifying the properties in the table is included on the following page.



Town of Westfield Downtown Westfield Scattered Site Redevelopment Plan Redevelopment Parcels



III. REQUIRED REDEVELOPMENT PLAN COMPONENTS

This redevelopment plan has been prepared in accordance with section 7 of the LRHL, which provides that “no redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body.” Pursuant to the LRHL, the Redevelopment Plan shall include an outline for the planning, development, redevelopment or rehabilitation of the project area sufficient to indicate:

1. The Redevelopment Plan’s relationship to definite local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.

2. Proposed land uses and building requirements in the project area.

3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.

4. An identification of any property within the area, which is proposed to be acquired in accordance with the Redevelopment Plan.

5. Any significant relationship of the Redevelopment Plan to the master plans of contiguous municipalities; the master plan of the county in which the municipality is located; and the State Development and Redevelopment Plan adopted pursuant to the State Planning Act, *N.J.S.A. 52:18A-186, et seq.*

6. As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low and moderate income households, as defined pursuant

to N.J.S.A. 52:27D-304, that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure.

7. A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan.

The Redevelopment Plan shall describe its relationship to pertinent municipal development regulations. The Redevelopment Plan shall supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district within the redevelopment area.

All provisions of the Redevelopment Plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan.

IV. REDEVELOPMENT AREA DESCRIPTION

The properties included within this redevelopment plan are scattered throughout downtown Westfield. For ease of description, they consist of three groupings of properties, each group being based upon those included within separate preliminary investigation reports.

Town-Owned Surface Parking Lots

The first group of properties consist of 7 non-contiguous Town-owned surface parking lots at the center of the Town of Westfield. Property descriptions are found in the “Preliminary Investigation: Downtown Parking Lots”, prepared by Topology, and dated May 14, 2020. Those descriptions are reproduced in part below to provide an overview of existing conditions:

The first property (Block 3107, Lot 2) is bounded by the Revolutionary Cemetery to the north; commercial uses like Verizon, South Moon Under, Baron's Drug Store, and Victoria's Secret to the east; Amazing Lash Studio, the Farmhouse Store, the Gap, Sole Shoes, Indigo Art Studio, Ahrre's Coffee Roastery, Westfield Tobacco and News, Evergreen, Napa Auto Care Service Center, and Wells Fargo Bank to the south; and the First Baptist Church of Westfield to the west. The property has vehicular access to the north and south by way of Mountain Avenue and Elm Street respectively.

The second property (Block 2505, Lot 12.01) is bounded by Trader Joe's and Elm Street to the north; commercial properties with street frontages along East Broad Street to the east; Prospect Street to the south; and the Trader Joe's parking lot with the residential areas beyond to the west. The property has vehicular access to the north and south by way of Elm Street and Prospect Street respectively.

The third property (Block 3001, Lot 5) is bounded by several commercial properties (Five Start Driving School and Evalyn Dunn Gallery among others), newly constructed multi-family housing and Rahway Avenue to the north and west; Holy Trinity School and Watterson Street to the east and south. The property has vehicular access to the lot from Rahway Avenue and Watterson Street.

The fourth property (Block 3101, Lot 5) contains the eastbound platform of the Westfield NJ Transit Train Station and is bound by the NJ Transit Raritan Valley Line to the north; a small shopping complex containing Westfield Seafood, Manhattan Bagel, Priceless Cleaners, and VP Salon and two vacant commercial spaces to the east; South Avenue West to the south; and the Westfield NJ Transit Train Station and commercial properties beyond to the east.

The fifth property (Block 3103, Lot 7) contains the westbound platform of the Westfield NJ Transit Train Station and is bound by North Avenue West to the north; Central Avenue to the west; the NJ Transit Raritan Valley Line to the south; and the Westfield Fire Department Headquarters and the commercial properties beyond to the

east. It should be noted that the parking lot wraps several commercial properties along North Avenue West that carve an approximate 62,000 SF area from the overall block.

The sixth property (Block 3107, Lot 2) is bounded by Elmer Street and commercial properties fronting along East Broad Street to the north; Elmer Street and Anthony Corello D.M.D to the east, Weldon Materials, Turning Point, Nos Vino, Williams-Sonoma, M&T Bank, and Starbucks, Just Bead Yourself, Jude Connally, and Digiplex Destinations to the south and west. The property has vehicular access to both Elmer Street and Central Avenue to the north and south respectively.

The last property (Block 3116, Lot 11) is bounded by Capital One Bank and the commercial properties fronting along Quimby Street to the north, Central Avenue and Lenox Avenue to the east, North Avenue West to the south, Westfield Health & Rehabilitation and the commercial properties beyond to the west.

Lord & Taylor Sites

The second group of properties consist of three separate non-contiguous tax lots, two of which developed as surface parking lots, and the remaining containing the Lord & Taylor department store building. All three properties are under private ownership. Property descriptions are found in the "Preliminary Investigation: Lord & Taylor Sites", prepared by Topology, and dated July 1, 2020. Those descriptions are reproduced in part below to provide an overview of existing conditions:

The first (Block 2502, Lot 14) is an irregularly shaped surface parking lot bound by Bank of America, Clark Street and private residences to the north; Clark Street to the east; the offices of Coldwell Banker Realty Westfield and North Avenue West to the south; and the offices of Robert Newell Lighting Design and more private residences to the west. The property has vehicular access to the south by way of North Avenue West and to the east by way of Clark Street.

The second property (Block 2506, Lot 1) is quadrangularly shaped surface parking lot bounded by Ferris Place to the northwest; the First United Methodist Church of Westfield to the east; North Avenue West to the south; and Clark Street to the southwest. The property has vehicular access to the northwest by way of Ferris Place and to the south by way of North Avenue West.

The third and final property (Block 2508, Lot 11) contains a large commercial building which houses Lord & Taylor surrounded to the east and west by surface parking. The property is bounded by North Avenue West to the north; an open green space containing the Town's War Memorials to the east; the NJ Transit tracks of the Raritan Valley Line to the south; and private residences to the west. The property has vehicular access at three points along North Avenue West.

The Rialto Theater Site

The third group is a single, privately owned property within downtown Westfield. A property description is found in the "Preliminary Investigation: Block 3107, Lot 1", prepared by Topology, and dated July 1, 2020. The property description is reproduced in part below to provide an overview of existing conditions:

The property is occupied by a commercial building that houses a vacant theatre with a prominent marquee and ancillary commercial uses including small retail storefronts.

The property is bound by East Broad Street to the north and northwest; commercial uses like NY Korean BBQ and the Town Book Store to the northeast; municipal parking lot 5 to the southeast; and Central Avenue to the south and southwest. The property has no on-site parking but is adjacent to a municipal parking lot.

V. EXISTING ZONING DESIGNATIONS

Individual properties governed by this redevelopment plan are located within the following zone districts.

Block	Lot	Address	Description	Zone District
2405	15	146 Elm Street	Town-Owned Surface Parking Lot	CBD
2505	12.01	131 Elm Street	Town-Owned Surface Parking Lot	CBD
3001	5	360 Waterson Street	Town-Owned Surface Parking Lot	GB-1
3101	5	300 South Avenue West	Town-Owned Surface Parking Lot	CBD
3103	7	301 North Avenue West	Town-Owned Surface Parking Lot	CBD
3107	2	116 Elmer Street	Town-Owned Surface Parking Lot	CBD
3116	11	148 Central Avenue	Town-Owned Surface Parking Lot	CBD
2502	14	630 North Avenue West	Privately-Owned Surface Parking Lot	GB-2
2506	1	526 North Avenue West	Privately-Owned Surface Parking Lot	GB-2
2508	11	601-613 North Avenue West	Lord & Taylor Department Store Site	GB-2
3107	1	244-254 East Broad Street	Rialto Theater Site	CBD

The CBD Central Business District is intended to encourage retail sales, retail services, personal services, offices, and residential uses in appropriate locations as set forth within this section, all within a mixed-use environment which encourages street activity throughout the day

and evening hours. Use and bulk standards for the GB-2 Zone are codified in § 11.25 of the Town's Land Use Ordinance.

The GB-1 General Business District is intended to encourage retail sales and personal services oriented to pedestrian shopping, other commercial uses permitted in the zone district, and residential use on the upper floors. Use and bulk standards for the GB-2 Zone are codified in § 11.26 of the Town's Land Use Ordinance.

The GB-2 General Business District is intended to encourage retail and wholesale sales, personal and business services, as well as business, administrative and professional offices. Use and bulk standards for the GB-2 Zone are codified in § 11.27 of the Town's Land Use Ordinance.

VI. PROPOSED LAND USES AND BUILDING REQUIREMENTS

Development of the properties shall be as permitted by the underlying zone district regulations and other applicable provisions of the Town Land Use Ordinance, and shall apply to all properties unless otherwise superseded herein. In addition, the affordable housing provisions specified below apply.

Affordable Housing

Any multi-family residential development, including the residential portion of a mixed-use project, to be developed at six (6) or more dwelling units per acre and yielding five (5) or more units shall provide an affordable housing set-aside of fifteen (15) percent if the affordable units are to be offered for rent and twenty (20) percent if the affordable units are to be offered for sale.

No subdivision shall be permitted or approved so as to avoid compliance with this requirement.

All affordable units created pursuant to this section must comply with all applicable regulations of the affordable housing regulations of

Article 23 of the Land Use Ordinance and the New Jersey Uniform Housing Affordability Controls (UHAC), N.J.A.C. 5:80-26.1 et seq. and COAH regulations N.J.A.C. 5:93-1 et seq., with the exception that in lieu of ten (10) percent of affordable units in rental projects being required to be at least thirty-five (35) percent of median income, thirteen (13) percent of affordable units in such projects shall be required to be at thirty (30) percent of median income.

When calculating the set-aside requirement for a particular site, if the imposition of the required set-aside requirement results in a fractional unit, the requirement shall be rounded to the next whole number. For example, in the case of a fifteen- (15) unit multifamily rental development, a total of three (3) affordable units would be required (15 units x 15 percent set-aside requirement = 2.25 affordable units required, which is rounded to three (3) affordable units required).

This affordable housing set-aside shall not apply to any developments containing four (4) or fewer dwelling units.

All variance, subdivision, and site plan approvals of qualifying residential developments shall be conditioned upon compliance with these requirements.

VII. RELATIONSHIP TO LOCAL OBJECTIVES

Town Master Plan

The Town Planning Board amended the Master Plan on April 6, 2020 through adoption of a "Vision, Guiding Principles, and Goals and Objectives" section. The catalyst for this amendment rests with the recommendations contained within the recently completed Master Plan Reexamination Report. The amendment replaced the Goals and Objectives Section of the 2002 Master Plan.

The following details the relevant goals, objectives and recommendations from the Town's Master Plan that will be furthered by a program of redevelopment pursuant to this Redevelopment Plan for the properties:

1. To provide adequate light, air and open space by establishing, administering and enforcing bulk, density and design standards that are appropriate for the various zones and uses in the community.

5. To maintain and enhance the viability of the various business districts by: (a) encouraging an appropriate mix of land uses that will complement one another and meet the retail and service needs of the Town; (b) promoting a desirable visual environment and preserving the small-town atmosphere in the business districts; (c) providing or requiring the provision of sufficient numbers of parking and loading spaces in the appropriate locations to serve the needs of the general public; (d) promoting a desirable pedestrian environment in the downtown business district; and (e) discouraging automobile-only oriented development in the central business district, including “strip malls”; and (f) offering placemaking opportunities, including public art, open space, pedestrian nodes, and community gathering spaces.

8. To provide a wide range of housing types and densities in a manner that maintains and is compatible with the predominant existing single family detached dwelling development pattern through: (a) Various zone districts that permit single-family detached, two-family and single-family attached, and multi-family dwellings where appropriate; (b) Density standards that reflect existing neighborhood conditions, where appropriate, as well as the needs of various housing types; and (c) Rezoning in appropriate locations, for mixed use or residential uses, establishing densities within walking distance of the CBD- Central Business District and NJ Transit railroad stations.

9. To address the need of affordable housing for the local and regional population of low- and moderate-income persons by establishing various zone districts that encourage the provision of affordable housing, where appropriate.

13. To address underutilized or vacant sites, encourage redevelopment or rehabilitation where properties meet those standards set forth in the LRHL.

This Redevelopment Plan is substantially consistent with the goals of the Master Plan and further a number of the objectives that the Town has set for land use and redevelopment.

VIII. RELATIONSHIP TO OTHER PLANS

Master Plans of Contiguous Municipalities

The Town of Westfield borders the municipalities of Springfield, Cranford, Garwood, Clark, Scotch Plains and Mountainside. This Redevelopment Plan is consistent with the Master Plans of these contiguous municipalities, each of which contain goals related to the promotion of the economic health of their commercial areas. Also, the property regulated by this Redevelopment Plan is located near the geographic center of the Town removed from municipal borders, and therefore, it is not anticipated that new construction in the Redevelopment Area will have any significant impact on adjoining municipalities other than to have a generally positive impact via the improvement of a well-established downtown within Union County.

Union County Master Plan

This Redevelopment Plan is consistent with the Union County Master Plan. Goals and objectives of the 1998 Union County Master Plan supported by this Redevelopment Plan include:

Housing Goal: Promote the provision of a broad range of housing opportunities for all income levels and household types by encouraging the maintenance or rehabilitation of the existing housing stock and through the construction of new housing units.

Housing Objective: Encourage municipalities to zone for a variety of housing types and densities.

Housing Objective: Encourage the construction of multi-family apartment and townhouse units in either rental, condominium or fee simple ownership for all age groups, household types and income levels.

Housing Objective: Encourage the expansion of existing public, non-profit and inclusionary low-income and senior housing opportunities.

Development Goal: To facilitate the development of Union County by directing new growth to environmentally suitable areas that can be provided with essential infrastructure and support facilities and to revitalize the urban centers and corridors within the County.

Development Objective: Identify land areas suitable for residential, commercial and industrial development sufficient to accommodate reasonable projections for future needs.

Development Objective: Promote new development and redevelopment that is consistent and compatible with existing settlement patterns.

Transportation/Circulation Goal: To promote the development of an improved and balanced, multi-modal transportation system that integrates and links highway, bus, rail, air, waterborne transport systems and pedestrian and bicycle facilities.

Transportation/Circulation Objective: Provide coordinated development of land use density/intensity and transportation systems that will support and sustain regional transportation systems for rail and bus service.

The State Development and Redevelopment Plan

The State Development and Redevelopment Plan (SDRP) was prepared and adopted by the State Planning Commission according to the requirements of the State Planning Act of 1985 to serve as an instrument of state policy to guide state agencies and local government in the

exercise of governmental powers regarding planning, infrastructure investment and other public actions and initiatives that affect and support economic growth and development in the state. The SDRP is not itself a regulation but a statement of State policy that has been adopted by the State Planning Commission to guide State, regional and local agencies in the exercise of their statutory authority.

The SDRP uses a policy map to differentiate areas from highest growth to lowest growth based on information, such as natural resources, sewer availability, etc. These differentiations are called planning areas, which range from PA-1 Metropolitan, to PA-8 State Park. The entirety of the Town of Westfield is located within the Metropolitan Planning Area (PA1), as per the State Plan Policy Map found in the SDRP.

For areas located in the Metropolitan Planning Area (PA1), the State Plan's intention is to:

- Provide for much of the state's future redevelopment;
- Revitalize cities and towns;
- Promote growth in compact forms;
- Stabilize older suburbs;
- Redesign areas of sprawl; and
- Protect the character of existing stable communities.

In order to support the intent of the Metropolitan Planning Area, development and redevelopment activities need to be consistent with the traditional urban fabric—intensities sufficient to support transit, a range of uses broad enough to encourage activity beyond the traditional workday, efficient use of infrastructure, and physical design features that enhance public safety, encourage pedestrian activity and reduce dependency on the automobile. This Plan is consistent with these principles and they are applied herein.

IX. RELOCATION

No residential uses exist on the properties, whether affordable to low or moderate income households or otherwise, and therefore no residential

relocation will be necessary to carry out the provisions of this Redevelopment Plan. Any existing commercial enterprises on the properties are not anticipated to require relocation. If circumstances dictate that relocation is required, such relocation will be carried out in accordance with applicable law.

X. PROPERTIES TO BE ACQUIRED

No properties are intended to be acquired by the Town to carry out the provisions of this Redevelopment Plan.

XI. ADMINISTRATIVE AND PROCEDURAL REQUIREMENTS

Selection of Redeveloper

In order to assure that the vision of this Redevelopment Plan will be successfully implemented in an effective and timely way so as to promptly achieve the public purpose goals of the Plan, the Mayor and Council, acting as the Redevelopment Entity, shall designate the redeveloper(s) for any redevelopment project on the Property.

The intent of this section of the Redevelopment Plan is to set forth the procedural standards to guide redeveloper selection. The following provisions regarding redevelopment are hereby included in connection with the implementation of this Redevelopment Plan and the selection of a redeveloper(s) and shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations to the contrary:

1. The redeveloper, its successor or assigns shall develop the property in accordance with the uses and building requirements specified in this Redevelopment Plan.

2. Until the required improvements are completed and a Certificate of Completion is issued by the Mayor and Council, acting as the Redevelopment Entity, the redeveloper covenants provided for in

N.J.S.A. 40A:12A-9 and imposed in any Redevelopment Agreement, lease, deed or other instrument shall remain in full force and effect.

3. The redevelopment agreement(s) shall contain provisions to assure the timely construction of the redevelopment project, the qualifications, financial capability, and financial guarantees of the redeveloper(s) and any other provisions to assure the successful completion of the project.

4. The extent of the designated redeveloper(s) responsibility for any installation or upgrade of infrastructure will be outlined in the Redevelopment Agreement with the Town. Infrastructure may include items such as gas, electric, water, sanitary and storm sewers, telecommunications, recreation or open space, streets, curbs, sidewalks, street lighting, street trees, structured parking or other improvements.

5. All infrastructure improvements shall comply with applicable local, state and federal law and regulations.

6. In addition to the provision of the infrastructure items set forth herein, the Redevelopment Agreement may provide that the redeveloper(s) will agree to provide amenities, benefits, fees and payments in addition to those authorized under the Municipal Land Use Law.

Redevelopment Agreement Required

No development or redevelopment shall take place or be the subject of any application to the Planning Board unless a redeveloper is designated for the property or properties by resolution of the Mayor and Council and a redevelopment agreement concerning the redevelopment between the Town and the redeveloper is executed.

Deviations

The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan, subject to the scope and limitations set forth below:

- Whenever, by (a) reason of exceptional narrowness, shallowness or shape of a specific piece of property, or (b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or (c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any regulation contained herein would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property,
- Whenever, in an application relating to a specific piece of property the purposes of this Plan would be advanced by a deviation from the requirements of the Plan, and the benefits of the deviation would substantially outweigh any detriments.
- No deviation from the regulations contained within this Redevelopment Plan may be granted without a showing that such variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the Plan.
- The planning board when acting upon applications for preliminary or minor subdivision approval or preliminary site plan approval shall have the power to grant such exceptions from the requirements for subdivision or site plan approval and design standards contained in the Plan as may be reasonable and within the general purpose and intent of the provisions for subdivision review and approval of this Plan, if the literal enforcement of one or more provisions of the Plan is

impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question. No deviations may be granted under the terms of this section unless such deviations can be granted without resulting in substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan.

The following deviations shall be considered prohibited and may only be permitted if the Plan is amended pursuant to the provisions of the LRHL to allow for such deviations from a redevelopment project.

- A use or principal structure in a district restricted against such use or principal structure;
- An expansion of a nonconforming use;
- A deviation from a specification or standard pertaining solely to a conditional use
- An increase in the permitted density;
- An increase in the permitted floor area ratio; or
- A height of a principal structure which exceeds by 10 feet or 10% the maximum height permitted in the Plan for a principal structure.

Amendments

This Redevelopment Plan establishes base requirements for a redevelopment project or projects on the properties which are governed by this plan, and permits the Town to engage in dialogue and contract with the owners of the properties and/or prospective redevelopers of the properties concerning such redevelopment. As such, amendments to this Redevelopment Plan may become necessary.

This Redevelopment Plan may be amended from time to time in accordance with the procedures of the LRHL.

Certificates of Completion and Compliance

Upon the inspection and verification by the Mayor and Council that the redevelopment of the Property has been completed, a Certificate of Completion and Compliance will be issued to the redeveloper and such parcel will no longer be deemed subject to this Redevelopment Plan.

XII. DEFINITIONS & SEVERABILITY

Any terms not expressly defined by this Redevelopment Plan shall have the same definition set forth in the Code and Ordinances of the Town. Any word, phrase, clause, section or provision of this Redevelopment Plan that is found by a court or other tribunal with adequate jurisdiction to be invalid, illegal or unconstitutional shall be deemed severable and the remainder of the Redevelopment Plan shall remain in full force and effect.

*H:\DON\AREAS IN NEED OF REDEVELOPMENT\DOWNTOWN WF REDEV PLAN\DOWNTOWN WESTFIELD
SCATTERED SITE REDEVELOPMENT PLAN V5.DOCX*

